

**Cartwright Creek, L.L.C.**  
**6545 Cox Road**  
**College Grove, TN 37046**  
**615-261-8600**

May 28, 2021

*Submitted Electronically*

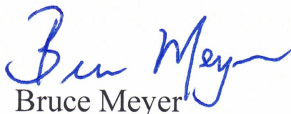
Mr. David Foster  
Director of Utilities  
Tennessee Public Utilities Commission  
502 Deaderick Street, 4<sup>th</sup> Floor  
Nashville, TN 37243

Re: Docket 19-00098, Show Cause Proceeding against Cartwright Creek, LLC for Charging an Unauthorized Rate or Fee.

Dear Mr. Foster,

The Cartwright Creek, LLC responses to the questions in your May 14, 2021 email to Mr. Tom Kolschowsky are attached for submittal.

Thank you,

  
Bruce Meyer  
Operations Manager

Copies: Mr. Tom Kolschowsky  
Mr. Henry Walker  
Docket Manager at TPUC via US Mail

**CARTWRIGHT CREEK, LLC  
DOCKET NO. 19-00098 SHOW CAUSE PROCEEDING AGAINST  
CARTWRIGHT CREEK, LLC FOR CHARGING AN UNAUTHORIZED RATE  
OR FEE  
RESPONSES TO DAVID FOSTER'S MAY 14, 2021 EMAIL**

- 1. Has Cartwright Creek, LLC ("Company) charged any individual customer(s) or property owner(s) within the Company's service area a charge or fee resulting from the Company responding to Tennessee 811 locate requests since January 1, 2018?**

Response: Yes.

- 2. If the Company has charged a fee as referenced above, identify the customers that have been charged and how has the resulting revenue been booked?**

Response:

The Company was required by law to begin responding to TN811 locate requests on January 1, 2018. The Company contracted with USIC to perform its locates in 2018, 2019, and January through June 2020. In July 2020, the Company began using its personnel for locates and canceled the USIC contract.

When USIC was performing locates, Cartwright Creek billed both Developer/Builders and customers for locates. Since Cartwright Creek began self locating, only the Developers/Builders have been charged.

Please see attached Exhibit A summarizing the charges and expenses. The resulting revenue has been booked as income.

- 3. Please identify the Tennessee Public Utility Commission approved tariff or rule which allows for such a fee or charge to be assessed.**

Response: Marking the location of buried pipelines is a service preformed by many companies. It is not a public utility service.

- 4. If the Company has assessed such fees or charges to customers since January 1, 2018, has the Company refunded any such charges? If so, provide evidence of such refunds.**

Response: No. The Company has not refunded any locate fees.

- 5. Is it the Company's present policy to assess these fees or charges to customers when they call 811 and the Company has to locate utility lines?**

Response: Yes. The Company intends to continue to charge builders and developers for utility locates.

**Exhibit A****Cartwright Creek Billing and Expenses for Locates**

	Billed Builders/Develop.		Billed Customer Address		Total Billed		Total Locates	Comments
	Count	Paid	Count	Paid	Count	Paid		
2018 (11 months)	295	\$ 7,935	153	\$ 3,788	448	\$ 11,723	712	Locates by USIC
2019	276	\$ 7,050	212	\$ 4,715	488	\$ 11,765	719	Locates by USIC
2020	593	\$ 14,850	52	\$ 1,300	645	\$ 16,150	1209	Locates by USIC thru June Locates after June by Cartwright Creek
2021 (thru March)	165	\$ 4,125	0	\$ -	165	\$ 4,125	280	Locates by Cartwright Creek
	1329	\$ 33,960	417	\$ 9,803	1746	\$ 43,763	2920	

**Expenses**

USIC Invoices paid	\$43,054.80
TN One Call- Annual Fees	\$5,564.35
Purchased Locate Equipment	\$7,747.49
Other locate supplies, equipment	\$2,201.79
	<u>\$58,568.43</u>

Does not include Cartwright Creek:

Labor, fuel, vehicle maintenance  
from May 2020 and ongoing  
for approx. 900 locates